

PCT/PCT Rec'd 11 JUN 2001

-1-

#3

BEFORE THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Grutzediek, Hartmut and Scheerer, Joachim

Serial No.: 09/806,224

Examiner: Unknown

Filed: 29 Sept. 1998

Group Art Unit:

Title: METHOD FOR PRODUCING TRANSISTORS

Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Attention: DO/EO/US

Response to Notification of Missing Requirements Under 35 U.S.C. 371  
In the United States Designated/Elected Office (DO/EO/US)

Dear Sir:

This is a response to the Notification of Missing Requirements Under 35 U.S.C. 371  
In the United States Designated/Elected Office (DO/EO/US) mailed on 26 April 2001.

Enclosed herewith for filing are the following:

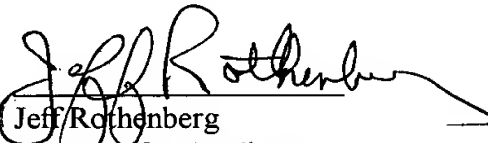
1. A declaration of the inventors identifying the application by the international application number and international filing date.
2. Small entity surcharge for providing the declaration later than the 30 months from the priority date (37 CFR 1.492(e)).
3. A Supplemental Information Disclosure Citation with copies of cited references and a Transmittal Letter Under 37 CFR 1.97(b).

Applicant notes that claim 1 was amended under PCT Article 19, as presented in the earlier submitted translation of the annex to the IPER, and requests that this amended claim 1, claims 4, 7, 15, 22, 25 and 26 as amended in the Preliminary Amendment submitted

March 27, 2001 and original claims 2, 3, 5, 6, 8-14, 16-21, 23, 24 and 27 be the subject of U.S. national phase examination.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-1935.

Respectfully submitted,

  
Jeff Rothenberg  
Attorney for Applicants  
Reg. No. 26,429

Dated: June 7, 2001

HESLIN & ROTHENBERG, P.C.  
5 Columbia Circle  
Albany, New York 12203  
Tel: (518) 452-5600  
Fax: (518) 452-5579  
e-mail: JR@hriplaw.com

FORM PTO-1390 (Modified)  
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

1477.011

#3

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5)

09/806,224

INTERNATIONAL APPLICATION NO.

PCT/EP99/05942

INTERNATIONAL FILING DATE

13 August 1999

PRIORITY DATE CLAIMED

29 September 1998

TITLE OF INVENTION

**METHOD FOR PRODUCING TRANSISTORS**

APPLICANT(S) FOR DO/EO/US

**GRUTZEDIEK, Hartmut and SCHEERER, Joachim**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 20 below concern document(s) or information included:**

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☐ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

**Response to Notification of Missing Requirements Under 35 U.S.C. 371****Copy of Notification****\$65 surcharge**

24. The following fees are submitted: <b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :</b>				<b>CALCULATIONS PTO USE ONLY</b>	
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1000.00</b>					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$860.00</b>					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$710.00</b>					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$690.00</b>					
<input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b>					
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>\$0.00</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				<b>\$130.00</b>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$18.00	<b>\$0.00</b>	
Independent claims	- 3 =	0	x \$80.00	<b>\$0.00</b>	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>				<b>\$0.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$130.00</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. (See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				<b>\$65.00</b>	
<b>SUBTOTAL =</b>				<b>\$65.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				<b>\$0.00</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$65.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>				<b>\$0.00</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$65.00</b>	
				Amount to be: refunded	\$
				charged	\$

- a. ☒ A check in the amount of **\$65.00** to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **08-1935** A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Jeff Rothenberg, Esq.  
 Heslin & Rothenberg, P.C.  
 5 Columbia Circle  
 Albany, New York 12205

Tel: (518) 452-5600  
 Fax: (518) 452-5579  
 E-mail: jr@hriplaw.com



**Jeff Rothenberg**

NAME

**26,429**

REGISTRATION NUMBER

**June 7, 2001**

DATE